

# The Effects of Not Sending a Timely Reply to Copyright Office Correspondence

## In the Event You Do Not Timely Reply

The communication you have received from the Copyright Office specifies a reply period, a time frame for your reply. It is important that you reply within the announced time frame to avoid the negative consequences listed below.

- The case file will be closed without further notification.
- Any published deposit you submitted may be made available to the Library of Congress for use or disposition under the provisions of the copyright law, 17 U.S.C. sections 407 and 704.
- Any unpublished deposit or document you submitted will be returned.
- *Your filing fee will not be returned.*

If you require additional time to prepare your response, you must request additional time before the end of the reply period.

## The Consequences of a Closed File

- If we close a file and you later re-apply for registration or recordation, *you will be required to submit a new application, deposit, and fee or an original document and fee.*
- The effective date of registration or recordation will be based on the new, later submission.

## The Significance of the Effective Date of Registration

Though registration is not a condition for securing copyright, delaying the effective date of registration can have serious consequences. In an infringement suit, the court may not award statutory damages or attorney's fees if the infringement started before the effective date of registration — unless, for published works, registration was made within a grace period of three months following publication and the infringement started after first publication.

## **Recordation of Transfers or Documents**

Also, while the recordation of a transfer or document pertaining to a copyright is not mandatory, it does constitute constructive notice of ownership of rights, if the statutory time limits and conditions are satisfied.

## **For Further Information**

### ***By Internet***

Circulars, announcements, regulations, other related materials, and certain copyright application forms are available from the Copyright Office website at [www.copyright.gov](http://www.copyright.gov).

### ***By Telephone***

For general information about copyright, call the Copyright Public Information Office at (202) 707-3000. Staff members are on duty from 8:30 AM to 5:00 PM, eastern time, Monday through Friday, except federal holidays. Recorded information is available 24 hours a day. Or, if you know which application forms and circulars you want, call the Forms and Publications Hotline at (202) 707-9100, and leave a recorded message.

### ***By Regular Mail***

Write to:

*Library of Congress  
Copyright Office-COPUBS  
101 Independence Avenue SE  
Washington, DC 20559-6304*